

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRYAN BUSCH and
VERONICA BUSCH,

Plaintiffs,

vs.

JANE or JOHN DOES,

Defendants.

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Civil Action File

No. _____

COMPLAINT FOR DAMAGES

NOW COMES Bryan Busch and Veronica Busch (hereafter “Plaintiffs”) and files this Action against unidentified JANE or JOHN DOES (hereafter “Defendants”) on claims of defamation, intentional infliction of emotional distress, and punitive damages as follows:

PARTIES

Plaintiffs

1.

Plaintiffs are a married couple residing as husband and wife for the past fourteen (14) years in the State of Georgia.

Defendants

2.

Defendants are unidentified individual(s) that created a fake Instagram account to intentionally and purposefully disparage, harass and defame Plaintiffs. Upon information and belief, Defendants are residents of a state other than Georgia.

JURISDICTION AND VENUE

3.

This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332 et seq as all plaintiffs are citizens of different states than all defendants and the amount in controversy exceeds \$75,000.

4.

This Court has personal jurisdiction over Defendants as they committed intentional torts within this federal judicial district.

5.

Venue is proper in this Court pursuant to 28 U.S.C. § 1402(b) as the acts and omissions set forth herein occurred within this federal judicial district.

STATEMENT OF FACTS

6.

Defendants created a fake Instagram account utilizing a fake name and fake photograph on or about May 17-18, 2023 for the sole purpose of intentionally harassing and defaming Plaintiffs. Defendants created the account under the name “Shaina.p.love” and used the account to send an Instagram message to Plaintiff Veronica Busch (via her Instagram account “ramona2021”) on May 18, 2023 at 3:29 pm accusing Plaintiff Bryan Busch of (1) sexual assault and battery, (2) criminal threats of physical violence, and (3) extramarital affairs. True and accurate copies of the “Shaina.p.love” Instagram account, photos and messages to Veronica Busch are attached hereto as Exhibit A.

7.

Defendants failed to respond to Instagram messages from Mrs. Busch and others about their true identity and then immediately removed, closed or cancelled the “Shania.p.love” Instagram account on May 19, 2023 in an attempt to conceal their identity.

COUNT I

Defamation

8.

Plaintiffs incorporate by reference the allegations set forth in paragraphs 1-

7 of this Complaint for Damages as if fully set forth herein.

9.

Defendants made a series of false, defamatory and libelous statements about Plaintiff Bryan Busch that they claimed were factually accurate and true.

10.

Defendants communicated these statements in writing to Plaintiff Veronica Busch by using a fake Instagram account.

11.

Defendants made these false statements with the intent to injure or harm Plaintiff Bryan Busch's reputation and standing as a licensed attorney in the State of Georgia.

12.

Plaintiff Bryan Busch has suffered damages in an amount to be proven at trial.

COUNT II

Intentional Infliction of Emotional Distress

13.

Plaintiffs incorporate by reference the allegations set forth in paragraphs 1-12 of this Complaint for Damages as if fully set forth herein.

14.

Defendants acted intentionally and recklessly by forming a fake Instagram account and disseminating false and defamatory messages to Plaintiff Veronica Busch.

15.

Defendants' conduct was extreme, outrageous and intended to cause emotional distress and damages to Plaintiffs.

16.

Defendants' actions caused severe emotional distress and damages to Plaintiffs in an amount to be determined at trial.

COUNT III

Punitive Damages

17.

Plaintiffs incorporate by reference the allegations set forth in paragraphs 1-16 of this Complaint for Damages as if fully set forth herein.

18.

Defendants' actions showed willful misconduct, malice, fraud, wantonness, oppression, or that entire want of care which would raise the presumption of conscious indifference to consequences.

19.

Plaintiffs are entitled to punitive damages in an amount to be proven at trial up to the maximum amount permitted by Georgia law.

WHEREFORE, Plaintiffs requests that the Court:

- 1) Grant judgment in favor of Plaintiffs on their claims for Defamation, Intentional Infliction of Emotional Distress and Punitive Damages;
- 2) Permit Plaintiffs to discover the identity of Defendants through direct subpoenas to Instagram and thereafter effectuate service of process on Defendants;
- 3) Award damages to Plaintiffs in amounts to be determined at trial;
- 4) Grant Plaintiffs a jury trial on all claims triable by jury;
- 5) Grant Plaintiffs their fees, expenses and attorneys' fees involved in prosecuting this action; and
- 6) Grant such other and further relief the Court deems just and proper.

Respectfully submitted this 23rd day of May 2022.

/s/ Bryan E. Busch

Bryan E. Busch

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EXHIBIT A